

# United States Department of the Interior

## BUREAU OF LAND MANAGEMENT

Roswell Field Office  
2909 West Second Street  
Roswell, New Mexico 88201

IN REPLY REFER TO:

NM-0556154

### DECISION

Assignor: Emmis Television Broadcast, L.P.  
One Emmis Plaza, 40 Monument Circle  
Indianapolis, IN 46204

Right-of-Way  
NM-0556154

Assignee: Lin Television Corporation  
Four Richmond Square, Suite 200  
Providence, RI 02906

### Assignment Approved

Entire assignment of all rights, title and interest in the above rights-of-way grants are approved effective December 29, 2006.

The assignment is subject to the terms, conditions and stipulations of the original right-of-way grant.

Larry D. Bray  
Assistant Field Manager  
Lands and Minerals

OPTIONAL PLAN CONFORMANCE/NEPA COMPLIANCE RECORD

CX-NM-510-2007-0042

Lin Television Corporation

Serial No.: NM-0556154

BLM Office: Roswell Field Office

Proposed Action Title/Type: Right-of-Way Assignment for the following right-of-way.

NM 0556154

Location of Proposed Action: Location as described in the grant for the above right-of-way.

Description of Proposed Action: Lin Television Corporation is requesting to assign one (1) Rights-of-Way addressed above. Because the right-of-way is a assignment, no balding or disturbance of the surface will be done.

PART I: PLAN CONFORMANCE REVIEW.

The proposed action is consistent with the approved Roswell Resource Area Management Plan and is consistent with Bureau policy and guidance.

The proposed action is consistent with State and local government programs, plans, zoning, and applicable regulations. The land is suitable for the proposed use and would not result in any undue or unnecessary environmental degradation.

PART II: NEPA REVIEW

This proposed action qualifies as a categorical exclusion under 516 DM 6, Appendix 5.4, E (9). The proposed action has been reviewed and determined that none of the exceptions described in 516 DM 2, Appendix 2, apply.

Prepared by:

Reviewed by:

/s/Linda A Askwig 12/29/06

Irene M. Gonzales 12/29/06

Linda A. Askwig Date

Irene M. Gonzales Date

-

### III. DECISION.

I have reviewed this plan conformance and NEPA compliance record and have determined that the proposed project is in conformance with the approved Roswell Management Plan and is consistent with Bureau policy and guidance and that no further environmental analysis is required. It is my decision to assign the right-of-way as described, a term to coincide with that of the original grant, and expires August 18, 2015, with an option to renew, pursuant to Section 28 of the Mineral Leasing Act of 1920, as amended (30 U.S.C. 185) subject to the terms and conditions in 43 CFR 2880; rental payments as determined by 43 CFR 2803.1-2; and the attached Current Standard Stipulations for Roads in the Roswell Field Office, BLM.

Compliance and Monitoring: The construction phase of this proposed action and subsequent operational phases will be monitored as per regulation.

---

Larry D. Bray  
Assistant Field Manager  
Lands and Minerals

---

Date

BLM Serial Number: NM-0556154  
Company Name: Lin Television Corp

STANDARD STIPULATIONS FOR COMMUNICATIONS SITES  
IN THE ROSWELL DISTRICT, BLM

The holder agrees to comply with the following stipulations to the satisfaction of the Authorized Officer, BLM.

1. The holder shall indemnify the United States against any liability for damage to life or property arising from the occupancy or use of public lands under this grant.
2. The holder shall comply with all applicable Federal laws and regulations existing or hereafter enacted or promulgated. In any event, the holder shall comply with the Toxic Substances Control Act of 1976, as amended (15 U.S.C. 2601, et. seq.) with regard to any toxic substances that are used, generated by or stored on the right-of-way or on facilities authorized by this grant. (See 40 CFR, Part 702-799 and especially, provisions on polychlorinated biphenyls, 40 CFR 761.1-761.193.) Additionally, any release of toxic substances (leaks, spills, etc.) in excess of the reportable quantity established by 40 CFR, Part 117 shall be reported as required by the Comprehensive Environmental Response, Compensation and Liability Act, Section 102b. A copy of any report required or requested by any Federal agency or State government as a result of a reportable release or spill of any toxic substances shall be furnished to the Authorized Officer concurrent with the filing of the reports to the involved Federal agency or State government.
3. The holder agrees to indemnify the United States against any liability arising from the release of any hazardous substance or hazardous waste (as these terms are defined in the Comprehensive Environmental Response, Compensation and Liability Act of 1980, 42 U.S.C. 9601, et. seq. or the Resource Conservation and Recovery Act, 42 U.S.C. 6901, et. seq.) on the right-of-way (unless the release or threatened release is wholly unrelated to the right-of-way holder's activity on the right-of-way). This agreement applies without regard to whether a release is caused by the holder, its agent, or unrelated third parties.
4. The right-of-way herein granted is conditioned upon the submission of a copy of an approved license and/or renewal license granted by the Federal Communications Commission (FCC) or the Interdepartmental Radio Advisory Committee (IRAC) for each electronic station installation authorized by this grant or future amendments of this grant to the Authorized Officer. A copy of the FCC or IRAC authorization shall be submitted within 90 days of issuance of this grant or within 90 days following approval of an amendment to this grant. Failure to submit the FCC or IRAC authorization copy within the time specified shall be grounds for termination of this grant or cancellation of an amendment to this grant. The Authorized Officer may grant an extension of up to 90 days, if requested in writing by the holder.

Exhibit A, Page 1 of 3, December 29, 2006

5. The holder and its sublessees shall at all times operate their radio-electronic equipment in such a manner as not to cause interference with radio-electronic operations of existing users in

the vicinity. If such interference results from holder's or sublessee's operations, holder will promptly, at its own expense, modify the equipment and operations, or shut down if necessary to eliminate or reduce the interference to the satisfaction of the FCC, IRAC, and/or the Authorized Officer.

6. The holder shall notify the Authorized Officer of any intent to locate additional users within or upon their existing, not less than 45 days prior to occupancy of holder's facilities. Information that must be included is:

- a. Name, current address, and phone number of the third party user(s).
- b. Expected date of occupancy.
- c. A photo or sketch of the type of antennas to be installed, as well as any other planned physical changes to the exterior facilities operated by the holder. If the proposed use is not specified in the original right-of-way grant, an amendment will be required.

No less than 45 days prior to occupancy of the holder's facility, the holder shall notify existing users within a 1-mile radius that the holder intends to accommodate a new communication user in its facility. Existing users can then file any comments pertaining to potential frequency or electromagnetic problems with the Federal Communications Commission, 1919 M Street NW, Washington, DC 20554, with a copy to the Authorized Officer.

7. The holder shall be held responsible if noxious weeds become established within the area. Evaluation of growth of the noxious weeds shall be made upon discovery. Weed control will be required on the disturbed lands resulting from this actions, which include the roads, pads and associated pipelines and on adjacent lands affected by the establishment of weeds due to this action.

The holder shall insure that the equipment and or vehicles that will be used to construct, maintain and administer the access roads, well pad, and resulting well are not polluted with invasive and noxious weed seeds. Transporting of invasive and noxious weed seeds could occur if the equipment and vehicles were previously used in noxious weed infested areas. In order to prevent the spread of noxious weeds, the Authorized Officer shall require that the equipment and vehicles be cleaned with either high pressure water or air prior to construction, maintenance and administration of the access roads, well pad, and resulting well.

The holder is responsible for consultation with the authorized officer and/or local authorities for acceptable weed control methods, which include following EPA and BLM requirements and policy.

OExhibit A, Page 2 of 3, December 29, 2006

8. The site shall be maintained in a neat and orderly manner at all times. All trash, rubbish, and other debris shall be removed and deposited in an approved sanitary disposal site.

9. All above-ground structures not subject to safety requirements shall be painted by the holder

to blend with the natural color of the landscape. The paint used shall be a color which Stimulates "Standard Environmental Colors" designated by the Rocky Mountain Five-State Interagency Committee. The color selected for this project is Olive Drab, Munsell Soil Color Chart Number 18-0622 TPX.

10. The holder shall post signs designating the BLM serial number assigned to this right-of-way grant at the following locations: the points of origin and completion, or entry to and exit from public lands, of the right-of-way and at all major road crossings. These signs will be posted in a permanent, conspicuous manner, and will be maintained in a legible condition for the term of the right-of-way.

11. In those areas where erosion control structures are required to stabilize soil conditions, the holder shall install such structures as are suitable for the specific soil conditions being encountered and which are in accordance with sound management practices. Any earth work will require prior approval by the Authorized Officer.

12. The holder agrees to share road maintenance costs with all present and future users of the access road. The holder further agrees to join a road users association if deemed necessary by the Authorized Officer.

13. Any cultural and/or paleontological resource (historic or prehistoric site or object) discovered by the holder, or any person working on the holder's behalf, on public or Federal land shall be immediately reported to the Authorized Officer. The holder shall suspend all operations in the immediate area of such discovery until written authorization to proceed is issued by the Authorized Officer. An evaluation of the discovery will be made by the Authorized Officer to determine appropriate actions to prevent the loss of significant cultural or scientific values. The holder will be responsible for the cost of evaluation and any decision as to the proper mitigation measures will be made by the Authorized Officer after consulting with the holder.

14. Special Stipulations